



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Paper No. 18

CHIEF PATENT COUNSEL  
SMITH & NEPHEW, INC.  
1450 BROOKS ROAD  
MEMPHIS, TN 38116

**COPY MAILED**

NOV 29 2004

**OFFICE OF PETITIONS**

In re Application of	:
Brian W. McKinnon	:
Application No. 09/808,228	:
Filed: March 14, 2001	:
Attorney Docket No. 10557/199332	:

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 9, 2004, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the final Office action mailed December 2, 2003. A Notice of Abandonment was mailed June 15, 2004.

The application is revived for consideration of a submission under 37 CFR 1.114 (request for continued examination).

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. However, in accordance with 37 CFR 1.34(a), the signature of Geoffrey K. Gavin appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts. A courtesy copy of this decision is being mailed to petitioner. However, if Mr. Gavin desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. All future correspondence regarding this application file will be directed solely to the address of record until otherwise instructed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204.

The application file is being forwarded to Technology Center AU 3738, for further processing of the request for continued examination under 37 CFR 1.114 filed September 9, 2004.

*Sherry D. Brinkley*

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: GEOFFREY K. GAVIN  
KILPATRICK STOCKTON, LLP  
1100 PEACHTREE STREET, SUITE 2800  
ATLANTA, GA 30344-4530